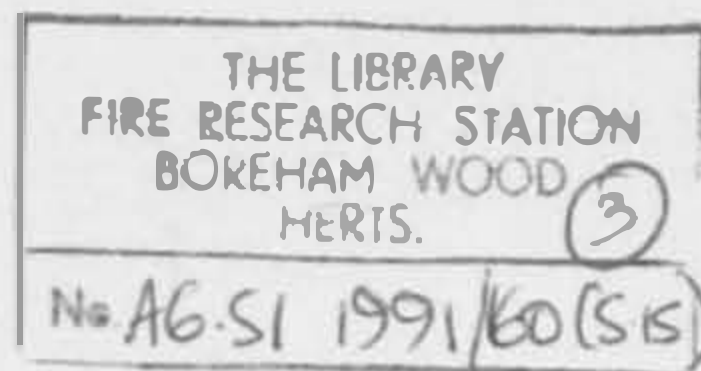


1991 No. 160 (S.15)

BUILDING AND BUILDINGS



The Building (Forms) (Scotland) Regulations 1991

Made - - - -

28th January 1991

Laid before Parliament

18th February 1991

Coming into force

1st April 1991



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1991 No. 160 (S. 15)

BUILDING AND BUILDINGS

The Building (Forms) (Scotland) Regulations 1991

Made - - - - - *28th January 1991*

Laid before Parliament *18th February 1991*

Coming into force *1st April 1991*

The Secretary of State, in exercise of the powers conferred on him by section 24(1)(
Building (Scotland)
makes the following Regulations:

1.—(1) These Regulations may be cited as the Building (Forms) (Scotland)
1991 and shall come into force on 1st April 1991.

(2) Any form referred to in these Regulations by number means the form so numbered
in the Schedule hereto and any reference in these Regulations to the Act is a reference to
the Building (Scotland) Act 1959.

2. The forms set out in the Schedule to these Regulations are hereby prescribed as the
forms of any notice or other document which is required or authorised to be used under or
for the purposes of the Act.

3. The Building (Forms)
land) Amendment Regulations 1981(c) are hereby revoked.

St Andrew's House, Edinburgh
28th January 1991

James Douglas-Hamilton
Parliamentary Under Secretary of State,
Scottish Office

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APPLICATION FOR RELAXATION OF BUILDING STANDARDS REGULATIONS

Building (Scotland) Act 1959, section 4

Before completing this form please read the Notes at the back

PART A

This application should be sent to the Secretary of
State/ _____ Council* (see Note 1)

1. APPLICANT

Name _____

Address _____

Post Code _____

Tel No _____

2. AGENT (if any)

Name _____

Address _____

Post Code _____

Tel No _____

3. ADDRESS OF BUILDING

(in relation to which application is made)

_____4. NAME AND ADDRESS OF OWNER OF BUILDING:-
(if different from applicant)_____

PART B

5. DETAILS OF APPLICATION:-

Regulation number and provision of the Technical Standards from which dispensation or relaxation is being sought	Proposed dispensation or relaxation	Grounds for application

PART C (EXISTING BUILDINGS ONLY)

6. State present use of building _____

7. State proposed use of building _____

PART D (NEW BUILDINGS ONLY)

8. State proposed use of building

PART E

9. FIRE AUTHORITY

Is the work being carried out at the request of the Fire Authority?

YES / NO*

10. SECTION 10 NOTICE

Has a notice under section 10
of the Building (Scotland) Act
1959 been
served on you? (see note 5)

YES/NO*

11. If so, give date of notice

12. SECTION 11 NOTICE

Has a notice under section 11 of the Building (Scotland) Act 1959 been served on you? (see note 5) YES/NO*

13. If so, give date of notice _____

14. BUILDING WARRANT

Has an application for a building warrant been made? YES/NO*

If so, please give date of application and reference number _____

15. LISTED BUILDING

Is the building listed as being of special architectural or historic interest, or in a conservation area? (If in doubt the planning authority can advise) YES/NO*

16. If so, please state category _____

PART F

17. I/We* apply for a direction dispensing with or relaxing those provisions of the Building Standards Regulations set out above [in accordance with any necessary plans (including drawings, specifications and other particulars) submitted with the application]*. (See note 6).

Signature of applicant/agent* _____ Date _____

*Delete as appropriate

PART G

COUNCIL ENQUIRY POINT

_____ Council

Name _____

Tel _____

Ext _____

_____ Post Code _____

NOTES

1. Where on application it appears to the Secretary of State or the local authority that it is unreasonable that any provision of the building standards regulations should apply to any particular building, the Secretary of State or the local authority may give a direction relaxing that provision in relation to that building. If you are in doubt to whom your application should be addressed, you should seek advice from your local authority. If your application is to be addressed to the Secretary of State, a copy must also be sent to the local authority.
2. Applications to the local authority should be sent to the address shown at Part G of the form. The local authority can advise you where applications to the Secretary of State should be sent.
3. If the local authority refuse to dispense with or relax the regulations or apply conditions to a relaxation which you find unacceptable you may appeal to the Secretary of State against their decision. You must appeal within 28 days from the local authority's decision by completing Form 3 and sending it to the Secretary of State (see note 2).
4. If the local authority do not give a decision within 2 months of you making the application you may appeal to the Secretary of State following the procedure in note 3.
5. Section 10 of the Building (Scotland) Act 1959 gives powers to the local authority to remove or make a building conform to the building standards regulations where the building was constructed without a warrant, in contravention of the conditions of the warrant, or where the life of a limited life building has expired. Section 11 gives power to the local authority to require buildings to conform to the building standards regulations.
6. The local authority can advise you on what plans, drawings, specifications and other particulars should accompany your application.

RELAXATION DIRECTION

Building (Scotland) Act 1959, section 4

This direction is given by _____ Council in connection with the application by _____ dated _____ requesting dispensation or relaxation of provisions of the Building Standards (Scotland) Regulations 19__ in relation to the building at _____.

The _____ Council hereby direct that the provision(s) of the Building Standards (Scotland) Regulations 19__ specified in the Schedule hereto shall not apply for the reasons stated in that Schedule.

_____ (signed) for _____ Council

_____ (date)

NOTES

1. If the local authority have applied conditions to this direction which you find unacceptable you may appeal to the Secretary of State against their decision. You must appeal within 28 days of the local authority's decision by completing Form 3 and sending it to the Secretary of State whose address may be obtained from the local authority.

2. A copy of the appeal (Form 3) should also be sent to the local authority.

SCHEDULE TO FORM 2

Regulations dispensed or relaxed and conditions, if applicable.

Regulation	Provisions from which dispensation or relaxation is given	Conditions attached to direction	Reasons for decision

RELAXATION OF BUILDING STANDARDS REGULATIONS -
APPEAL TO THE SECRETARY OF STATE

Building (Scotland) Act 1959, section 4A

If the local authority have refused to dispense with or relax the regulations or have applied conditions to the direction which you find unacceptable, you may appeal against their decision to the Secretary of State within 28 days of being notified of their decision by completing this form and sending it to the Secretary of State. You may also appeal, as if the local authority had refused your application, if they have not given you a decision within 2 months, or such longer period as may be agreed with the local authority. The Secretary of State's address may be obtained from the local authority.

A copy of the appeal should also be sent to the local authority.

1. APPLICANT

Name _____

Address _____

Post Code _____

Tel No _____

2. AGENT (if any)

Name _____

Address _____

Post Code _____

Tel No _____

3. ADDRESS OF BUILDING

(in relation to which relaxation was sought)

4. AGE OF BUILDING

Is it a new building?

YES/NO*

5. ORIGINAL APPLICATION FOR RELAXATION DIRECTION

Date of Relaxation Application to local authority _____

Which local authority? _____

Please quote local authority reference number _____

Date of Direction (if received) _____

Regulation number and provisions from which dispensation or relaxation was sought.

6. TYPE OF APPEAL

I/We* wish to appeal against:-

refusal to grant application ☐

conditions subject to which application was granted ☐

failure to notify me/us* of their decision ☐

(/ as applicable)

7. GROUNDS OF APPEAL

8. Signature of Applicant/Agent* _____ Date _____

*Delete as appropriate

APPLICATION FOR BUILDING/DEMOLITION/CHANGE OF USE* WARRANT

Building (Scotland) Act 1959, section 6

APPLICANTS FOR DEMOLITION WARRANTS NEED ONLY COMPLETE PARTS A, C AND F

The local authority will grant a building warrant if they are satisfied that the building will be constructed in accordance with the building operations regulations and the building standards regulations. A warrant for demolition will be granted if the building operations regulations will be met.

Applications should be sent to the address shown at Part G of the form.

PART A (to be completed for all applications)

1. APPLICANT

Name _____

Address _____

Post Code _____

Tel No _____

2. AGENT (if any)

Name _____

Address _____

Post Code _____

Tel No _____

3. PURPOSE FOR WHICH WARRANT IS SOUGHT

Please state the nature of the proposed operations eg erection, alteration, extension, change of use or demolition of house, shop or other building.

4. ADDRESS OF BUILDING(S)
(for which application is being made)

5. LISTED BUILDINGS

Does the application concern buildings listed as Yes/No*
being of special architectural or historic interest
or in a conservation area? (If in doubt, the
planning authority can advise)

6. If so, please state category

PART B (to be completed by applicants for warrant to erect, alter, or
extend a building)

7. USE(S) OF BUILDING(S)

The building(s) will be used as

8. RELAXATION DIRECTIONS

The building(s) is/are* the subject of a relaxation direction given by the
Secretary of State/the local authority*, reference number
dated

9. STAGES OF CONSTRUCTION

If a staged warrant is required, please indicate which stage(s) are
requested.

Note

You can arrange at the local authority's discretion to be granted a
warrant on condition that you provide them with further details before
any of the following stages of construction are commenced:-

foundations
substructure
underground drainage system
superstructure, excluding the stages specified below
external wall cladding or internal walls or their linings
roof
installation of a lift, escalator or electrical, ventilation, heating or
plumbing system

PART C (to be completed by all applicants)

10. COST OF OPERATIONS

The cost of the operations is estimated at £ _____

Please note that the local authority may wish to verify this figure.

PART D (to be completed where an existing building is to be used for a different purpose)

11. EXISTING USE(S) OF BUILDING(S)

The building(s) is/are* at present used as _____

12. PROPOSED USE(S) OF BUILDING(S)

The building(s) will be used as _____

PART E (complete this part only if the building is intended to have a life of less than 5 years - less onerous requirements may apply to buildings in this category)

13. LIMITED LIFE BUILDINGS

The life of building(s) will be _____ (not more than 5 years)

PART F (to be completed by all applicants)

14. DECLARATION

I/We* apply for a warrant in accordance with the details supplied above and any necessary plans (including drawings, specifications, and other particulars) accompanying this application (see note 2).

Signature of applicant/agent* _____

Date _____

*Delete as appropriate.

PART G

ADDRESS TO WHICH YOU SHOULD SEND YOUR APPLICATION

COUNCIL ENQUIRY POINT

_____ Council Name _____

_____ Tel _____

_____ Ext _____

_____ Post Code _____

WARNING

A BUILDING WARRANT DOES NOT EXEMPT YOU FROM OBTAINING OTHER TYPES OF PERMISSION NECESSARY, EG PLANNING PERMISSION OR LISTED BUILDING CONSENT. CONSULT THE LOCAL AUTHORITY IF IN DOUBT.

NOTES

1. If the local authority refuse to grant a warrant you may appeal to the sheriff within 21 days of the date of the decision.
2. The local authority can advise you on what plans, drawings, specifications and other particulars should accompany your application.

BUILDING WARRANT

Building (Scotland) Act 1959, section 6

This warrant is granted by _____ Council in connection with the application by _____ dated _____ for the erection/alteration/extension/change of use* of a building/buildings* at _____

The reference number of this warrant is _____

The following conditions apply:-

1. The building(s) shall be erected/alterated/extended* in accordance with any necessary plans (including drawings, specifications and other particulars) accompanying the application and in accordance with the Building Standards (Scotland) Regulations 19____.
- *2. The conditions specified in the relaxation direction given by the Secretary of State/the local authority*, reference no _____ dated _____ shall be observed.
- *3. The limited life building(s) shall be demolished on or before the expiry of the period of _____ years from the date on which the certificate of completion in respect of the building was granted.

*4a. This warrant relates to _____

_____ stage(s)

Work on any further stage(s) shall not commence until sufficient information has been supplied to the local authority, as below:

*4b. Stage(s) of warrant not yet granted

A copy of the plans is returned duly endorsed

_____ (signed) for _____ Council

_____ (date)

*Delete as appropriate

NOTES

1. This warrant is valid for work started and completed within 5 years of the date on which it was granted, unless an extension is granted by the local authority. Any extension can be granted only during the period of validity of the warrant.

2. The person who is carrying out the building operations should notify the local authority:

a. in writing, of the date on which work starts, within 7 days of that date;

b. when any drain has been laid and is ready for inspection or test;

c. in writing, of the date on which work is completed, unless a certificate of completion has already been applied for.

3. You must obtain a certificate of completion before using or occupying the building(s) unless the local authority have agreed to temporary occupation.

4. The local authority must either grant the certificate of completion or give reasons for refusal within 14 days of an application for a certificate of completion being received and there is a right of appeal to the sheriff against refusal.

WARNING

THIS WARRANT DOES NOT EXEMPT YOU FROM OBTAINING OTHER TYPES OF PERMISSION NECESSARY, EG PLANNING PERMISSION OR LISTED BUILDING CONSENT. CONSULT THE LOCAL AUTHORITY IF IN DOUBT.

DEMOLITION WARRANT

Building (Scotland) Act 1959, section 6

This warrant is granted by _____ Council in connection with the application by _____ dated _____ for the demolition of a building/buildings* at _____.

The following conditions apply:

1. From the date of commencement of operations the demolition will be completed within _____, in accordance with any necessary plans (including drawings, specifications and other particulars), submitted with the application and in accordance with the building regulations.

2. The demolition shall be carried out in accordance with the method statement submitted with the application and agreed with the local authority.

A copy of the plans, drawings and other particulars submitted with the application is returned, duly endorsed.

_____ (signed) for _____ Council

_____ (date)

* Delete as appropriate

NOTES

1. This warrant is valid for demolition operations started within 3 years of the date on which it was granted, unless an extension is granted by the local authority. Any extension can be granted only during the period of validity of the warrant.

2. The person who is carrying out the demolition must notify the local authority in writing, of the date on which work starts within 7 days of that date and of the date on which it is completed.

WARNING

THIS WARRANT DOES NOT EXEMPT YOU FROM OBTAINING OTHER TYPES OF PERMISSION NECESSARY, EG LISTED BUILDING CONSENT. CONSULT THE LOCAL AUTHORITY IF IN DOUBT.

APPLICATION FOR AMENDMENT OF BUILDING WARRANT

Building (Scotland) Act 1959, section 6(3A) and (7)

Applicants for amendment to a staged building warrant should complete Parts A, C and E.

Other applicants should complete Parts A, B, D and E.

PART A

1. APPLICANT

Name _____

Address _____

Post Code _____

Tel No _____

2. AGENT (if any)

Name _____

Address _____

Post Code _____

Tel No _____

3. DATE OF WARRANT

Date of building warrant _____

Reference number _____

4. ADDRESS OF BUILDING

Address of building for which warrant has been granted _____

PART B

5. AMENDMENT(S) REQUIRED

What changes do you wish to make to the proposals for which warrant was granted?

PART C

6. STAGE WARRANT

For which stages does the local authority require further information?
(see condition 5 of the original warrant)

7. For which stages are you now applying for amendment of warrant?

8. The information relating to the stages listed in question 7 is as follows:-

PART D

9. ADDITIONAL OPERATIONS

Are additional operations involved?	YES/NO*
If yes, please state estimated additional cost and the revised total cost.	Additional cost £ _____
	Revised total cost £ _____

Please note that the local authority may wish to verify these figures.

PART E

10. DECLARATION

I/We* apply for an amendment of warrant in accordance with the details supplied above and any necessary plans (including drawings, specifications and other particulars) accompanying this application (see note below).

Signature of applicant/agent* _____

Date _____

*Delete as appropriate.

ADDRESS TO WHICH YOU SHOULD
SEND YOUR APPLICATION

COUNCIL ENQUIRY POINT

_____ Council

Name _____

Tel _____

Ext _____

_____ Post Code _____

NOTE

The local authority can advise you on what plans, drawings, specifications and other particulars should accompany your application.

APPLICATION FOR CERTIFICATE OF COMPLETION

Building (Scotland) Act 1959, section 9

1. APPLICANT

Name _____

Address _____

Post Code _____

Tel No _____

2. AGENT (if any)

Name _____

Address _____

Post Code _____

Tel No _____

3. A certificate of completion is sought for the
erection/alteration/extension* of the building or buildings at
(address) _____

4. DATE OF BUILDING WARRANT AND ANY AMENDMENTS

A building warrant was granted on

Reference Number of Warrant

5. DATE WORKS COMPLETED

The works were completed on _____

6. RELAXATION DIRECTIONS

Was a relaxation of the provisions of
the building standards
regulations given?

YES/NO*

If so, give date and reference number _____

7. DECLARATION

I/We* confirm that the operations at the above address have now been completed in accordance with the building standards regulations [as relaxed by the Secretary of State/local authority* on _____ (date)]*. The operations were carried out as laid down in the building warrant mentioned above and conform with any necessary plans (including drawings, specifications and other particulars) endorsed in connection with the warrant. [I/We* also enclose a certificate showing that the electrical installation complies with the terms of the warrant]*

Signature of applicant/agent* _____

Date _____

*Delete as appropriate

ADDRESS TO WHICH YOU SHOULD
SEND YOUR APPLICATION

COUNCIL ENQUIRY POINT

_____ Council

Name _____

Tel _____

Ext _____

_____ Post Code _____

NOTES

1. The local authority must either grant a certificate of completion or notify the applicant of their refusal to do so within 14 days of the date of receipt of the application for a certificate of completion.

2. If the local authority refuse to grant a certificate of completion the applicant has the right of appeal to the sheriff.

COMPLIANCE CERTIFICATE FOR ELECTRICAL INSTALLATION

Building (Scotland) Act 1959, section 9

I certify that, to the best of my knowledge and belief, the electrical installation at _____ (address), carried out by me/under my supervision*, complies with the Building Standards (Scotland) Regulations 19__ and the relevant conditions of the building warrant (reference number _____) granted by _____ Council on _____ (date) for the erection/alteration/extension* of the building.

Signature _____

Date _____

NAME _____

ADDRESS _____

Post Code _____

Tel No _____

Profession _____

*Delete as appropriate

THIS CERTIFICATE, WHEN
COMPLETED, SHOULD BE SENT TO:-

COUNCIL ENQUIRY POINT

_____ Council

Name _____

Tel _____

Ext _____

_____ Post Code _____

WARNING

IF A PERSON GRANTS OR PRODUCES A CERTIFICATE WHICH IS FALSE OR MISLEADING HE/SHE MAY BE GUILTY OF AN OFFENCE UNDER THE BUILDING (SCOTLAND) ACT 1959 AND LIABLE ON SUMMARY CONVICTION TO A FINE.

CERTIFICATE OF COMPLETION

Building (Scotland) Act 1959, section 9

This certificate of completion is granted by _____
 Council in respect of the building at _____ (address).

The Council, so far as they are able to ascertain after taking all reasonable steps in that behalf, are satisfied that the erection/alteration/extension* has now been completed in accordance with:-

the building warrant dated _____, [and amendments dated _____]*
 reference number _____ (including any relevant plans, drawings, specifications and other particulars);

the provisions of the Building Standards (Scotland) Regulations 19 __;

[as relaxed, as shown below, by the Secretary of State/Council* on _____ (date)]

Provision(s) relaxed:-

 _____]*

 _____ (Signed) for _____ Council
 _____ (date)

* Delete as appropriate

APPLICATION FOR TEMPORARY OCCUPATION/USE*

Building (Scotland) Act 1959, section 9

1. APPLICANT

Name _____

Address _____

Post Code _____

Tel No _____

2. AGENT (if any)

Name _____

Address _____

Post Code _____

Tel No _____

3. ADDRESS OF BUILDING OR PART OF BUILDING
 (in respect of which application is made)

WARRANT DETAILS

4. Date building warrant granted _____

Reference number of warrant _____

5. Building warrant granted for

erection ☐

alteration ☐

extension ☐

(√ as applicable)

PREVIOUS APPLICATION

6. Has a previous application for
 permission for temporary occupation/
 use* been granted?

YES/NO*

7. If yes, please give details:

Date authorisation given _____

8.

Date authorisation expires _____

9. REASONS FOR APPLICATION

Please state below why you wish the above building to be temporarily occupied/used* before the issue of a Certificate of Completion.

10. LENGTH OF TEMPORARY OCCUPATION

Period of temporary occupation requested:- From _____ To _____

Signature of applicant/agent* _____

Date _____

*Delete as appropriate

ADDRESS TO WHICH YOU SHOULD SEND YOUR APPLICATION COUNCIL ENQUIRY POINT

_____ Council

Name _____

Tel No _____

Ext _____

_____ Post Code _____

AUTHORISATION OF TEMPORARY OCCUPATION/USE*

Building (Scotland) Act 1959, section 9

Building warrant reference number _____

The _____ Council, in connection with the
application by _____

_____ for [extending the]* permission for the temporary occupation/use* of the
building/part of a building* at _____

_____ grant/extend* permission for such occupation/use*. This permission
expires on _____, 19____

_____ (signed) for _____ Council

_____ (date)

*Delete as appropriate

APPLICATION FOR EXTENSION OF PERIOD OF USE OF BUILDING INTENDED TO HAVE A LIMITED LIFE

Building (Scotland) Act 1959, section 6

1. APPLICANT

Name _____

Address _____

Post Code _____

Tel No _____

2. AGENT (if any)

Name _____

Address _____

Post Code _____

Tel No _____

3. ADDRESS OF BUILDING

(in respect of which application is made)

WARRANT AND CERTIFICATE OF COMPLETION

4. Date building warrant granted _____

Reference number of warrant _____

5. Date certificate of completion granted _____

LIFE OF BUILDING

6. When is the building due to be taken down? _____

7. Has the life of the building previously
been extended

YES/NO*

8. If yes, when? _____

9. For how long? _____

10. DECLARATION

I/We* apply for the life of the building to be extended until ____#.

Signature of applicant/agent* _____

Date _____

*Delete as appropriate

#This period must be no longer than 5 years

ADDRESS TO WHICH YOU SHOULD COUNCIL ENQUIRY POINT
SEND YOUR APPLICATION

_____ Council Name _____

_____ Tel No _____

_____ Ext _____

_____ Post Code _____

NOTICE UNDER SECTION 10 TO SHOW CAUSE WHY BUILDING
OPERATIONS SHOULD NOT BE EXECUTED

Building (Scotland) Act 1959, section 10

PART 1

To (name and address) _____

1. It appears to _____ Council, that the
building at _____

- * (i) has been or is being constructed without a warrant;
- * (ii) has been or is being constructed in contravention of the conditions subject to which a warrant in respect of the building was granted;
- * (iii) remains in existence after the expiry of the limited life period stipulated when the warrant was granted;

2. As you are -

- * (i) the person by whom the building has been or is being constructed;
- * (ii) the person on whose behalf the building has been or is being constructed;
- * (iii) the person entitled to the interest of _____ in the building (in the circumstances set out in section 10(1)(ii) of the Building (Scotland) Act 1959);

the Council require you by _____ (date)#

a. to show cause why you should not be required to carry out the operations specified in Part 2 of this notice

* [and b. to ensure that work on the building is stopped until the matters raised in this notice have been resolved, or until one month after you receive this notice, whichever first occurs].

* Delete as appropriate.

a date not less than 21 days from service of this notice.

PART 2 BUILDING OPERATIONS REQUIRED

The operations referred to in Part 1 are:-

1. The first step in the process of creating a business plan is to conduct a market research. This involves gathering information about the industry, the target market, and the competition. The purpose of this research is to identify opportunities and threats, and to determine the feasibility of the business idea.

2. The second step is to develop a business model. This involves determining how the business will generate revenue and how it will manage its costs. The business model should be based on the findings of the market research and should be realistic and achievable.

3. The third step is to create a financial plan. This involves projecting the business's financial performance over a period of time, typically three to five years. The financial plan should include a statement of income, a balance sheet, and a cash flow statement. It should also include a break-even analysis and a sensitivity analysis.

4. The fourth step is to write a business plan. This involves putting all the information gathered in the previous steps into a coherent and concise document. The business plan should be written in a clear and professional manner, and it should be easy to read and understand.

5. The fifth and final step is to use the business plan to secure financing. This involves presenting the business plan to potential investors or lenders, and using it as a tool to negotiate the terms of the financing. The business plan should be used to demonstrate the viability of the business and to show that the entrepreneur has a clear understanding of the market and the business model.

_____ (signed) for _____ Council

(date)

YOU SHOULD SEND YOUR REPLY TO:-

Council

COUNCIL ENQUIRY POINT

Name _____

Tel _____

Post Code

Ex1

1. In cases which fall under 1(i) or 1(ii) above, you may apply to the Secretary of State or the local authority for a relaxation direction under section 4 of the Building (Scotland) Act 1959. You must apply by the date given in paragraph 2. The local authority can advise you to whom your application should be addressed. If you apply for a direction, the period of this notice will be extended.

2. If you fail to show cause why the operations should not be carried out the local authority may serve on you an Order requiring the work to be carried out. If you fail to carry out the operations in the Order you may be guilty of an offence under the Building (Scotland) Act 1959 and liable on summary conviction to a fine. In addition, the local authority may carry out the operations themselves and claim from you as a debt any expenses incurred.

ORDER UNDER SECTION 10 REQUIRING THE EXECUTION OF BUILDING OPERATIONS

Building (Scotland) Act 1959, section 10

To (name and address) _____

in connection with the building at _____

1. On _____ (date) the _____ Council served notice on you as

*(i) the person by whom the building has been or is being constructed;

*(ii) the person on whose behalf the above building is being constructed;

*(iii) the person entitled to the interest of _____ in the above building (in the circumstances set out in section 10(i)(ii) of the Building (Scotland) Act 1959);

to show cause by _____ (date) why the following building operations should not be carried out:-

2. As you have failed to show cause [within the required time-scale and]* to the satisfaction of the Council, why those operations should not be carried out, the Council now order that they be carried out within the period of _____ days after the Order becomes operative#.

_____ (signed) for _____ Council

_____ (date)

*Delete as appropriate

This period must be at least 28 days after the Order becomes operative. The Order becomes operative once the 21 days allowed for an appeal has elapsed or, where there is an appeal, once this appeal is determined or abandoned.

NOTES

1. If you object to this Order you may appeal to the sheriff within 21 days of the date on which it was made.
2. If you fail to carry out the operations in this Order you may be guilty of an offence under the Building (Scotland) Act 1959 and liable on summary conviction to a fine. In addition, the local authority may carry out the operations themselves and claim from you as a debt any expenses incurred.

2. The Council consider that:

a. the building ought, having regard to the need for securing the health, safety, welfare and convenience of the persons who will inhabit or frequent it and the safety of the public generally and for furthering the conservation of fuel and power, to be made to conform to that/these* provision(s); and

b. it is reasonably practicable to make the building so conform.

3. Accordingly, the Council now require you by _____ (date)# to show cause why the building should not conform to the provisions of the Building Standards (Scotland) Regulations 19____ specified at paragraph 1.

_____ (signed) for _____ Council

_____ (date)

* Delete as appropriate

A date not less than 28 days from service of this notice.

YOU SHOULD SEND YOUR REPLY TO:- COUNCIL ENQUIRY POINT

_____ Council Name _____
_____ Tel No _____
_____ Ext _____
_____ Post Code _____

NOTES

1. You may apply to the Secretary of State or the local authority for a relaxation direction under section 4 of the Building (Scotland) Act 1959 at any time up until the date mentioned in 3 above. The local authority can advise you to whom your application should be addressed. If you apply for a direction, the period within which you must respond to this notice will be extended accordingly.

2. If you fail to show cause why the building does not conform to the building standards regulations the local authority may serve on you an Order requiring the building to conform. If you fail to make the building conform after the Order has been served you may be guilty of an offence under the Building (Scotland) Act 1959 and liable on summary conviction to a fine. In addition, the local authority may carry out the operations themselves and claim from you as a debt any expenses incurred.

ORDER UNDER SECTION 11 TO MAKE
BUILDING CONFORM TO THE BUILDING
STANDARDS (SCOTLAND) REGULATIONS 19

Building (Scotland) Act 1959, section 11

To (name and address) _____

1. On _____ (date), the _____ Council served notice on you as the owner(s) of the building at _____

2. The notice required you to show cause by _____ (date), why the building should not conform to the provision(s) of the Building Standards (Scotland) Regulations 19 _____ listed below:-

This image shows a single sheet of white paper with horizontal ruling lines. The lines are evenly spaced and run across the width of the page. There is no text or other markings on the paper.

3. As you have failed to show such cause [within the required time-scale and]* to the satisfaction of the Council, the Council now order you to make the building conform with the above provisions within the period of _____ days from the date on which this Order becomes operative#.

_____ (signed) for _____ Council

_____ (date)

* Delete as appropriate

This period must be at least 28 days after the Order becomes operative. The Order becomes operative once the 21 days allowed for an appeal has elapsed or, where there is an appeal, once this appeal is determined or abandoned.

NOTES

1. If you object to this Order you may appeal to the sheriff within 21 days of the date on which it was made.

2. If you fail to carry out the operations in this Order you may be guilty of an offence under the Building (Scotland) Act 1959 and liable on summary conviction to a fine. In addition, the local authority may carry out the operations themselves and claim from you as a debt any expenses incurred.

NOTICE REQUIRING OPERATIONS ON A DANGEROUS BUILDING

Building (Scotland) Act 1959, section 13

To (name and address) _____

1. It appears to _____ Council, that the building at _____ is dangerous to persons inhabiting or frequenting it or adjacent buildings or places or to the public generally.

2. As you are the owner(s) of the building, the Council now require you to begin by _____ (date)# the following building operations:-

Blank lined paper.

3. These operations are, in the opinion of the Council, necessary to remove the danger and must be completed to the Council's satisfaction by _____ (date)†

_____ (signed) for _____ Council
_____ (date)

This date must be within 7 days from the service of this notice
† This date must not be less than 21 days after the date at 2. above.

_____ Council	COUNCIL ENQUIRY POINT
_____	Name _____
_____	Tel No _____
_____ Post Code _____	Ext _____

NOTICE OF INTENTION TO MAKE
ORDER REQUIRING OPERATIONS ON
A DANGEROUS BUILDING

Building (Scotland) Act 1959, section 13

To (name and address) _____

1. On _____ (date) _____ Council
served notice on (name and address) _____

as owner(s) of the building at _____

that the building is dangerous to persons inhabiting or frequenting it or
adjacent building or places or to the public generally.

2. The Council required the owner(s) to begin by
_____ (date) and have completed to the Council's
satisfaction by _____ (date) the following building
operations:-

3. As the owner(s) has/have* not begun/completed* these operations to
the satisfaction of the Council, notice is now given of the Council's
intention to make an order under section 13(2) of the Building (Scotland)
Act 1959.

4. Any objection you have to the carrying out of these operations must be lodged with the Council within 7 days of the service of this notice. You should send any objection to the address given at the end of this form stating:-

- a. your interest in the matter,
- b. the grounds of objection, and
- c. an address at which documents may be served on you.

5. If any person objecting to these operations does not own the building then a copy of the objection should be served on the owner.

_____ (signed) for _____ Council

_____ (date)

* Delete as appropriate

_____ Council	COUNCIL ENQUIRY POINT
_____	Name _____
_____	Tel No _____
_____ Post Code _____	Ext _____

ORDER UNDER SECTION 13 REQUIRING OWNER TO CARRY OUT OPERATIONS ON A DANGEROUS BUILDING

Building (Scotland) Act 1959, section 13

To (name and address) _____

1. On _____ (date), the _____ Council, served a notice on you requiring the following operations to be carried out:-

2. These operations are to be carried out on the dangerous building at

3. The Council, having given the owner(s) and any other person appearing to them to have an interest an opportunity to be heard, now order you to carry out the above building operations.

These operations must be carried out within a period of _____ days from the operative date of this Order#

_____ (signed) _____ for _____ Council

_____ (date)

Under section 16(4) of the Building (Scotland) Act 1959, the Order becomes operative once the 21 days allowed for an appeal have elapsed or, where there is an appeal, once this appeal is determined or abandoned.

WARNING

IF YOU FAIL TO CARRY OUT THE OPERATIONS IN THIS ORDER THE LOCAL AUTHORITY MAY CARRY OUT THE OPERATIONS THEMSELVES AND CLAIM FROM YOU AS A DEBT ANY EXPENSES INCURRED.

NOTICE TO REMOVE FROM A
DANGEROUS BUILDING OR ADJACENT
BUILDING

Building (Scotland) Act 1959, Schedule 7

To (name and address) _____

It appears to _____ Council that the
building at _____ is
dangerous to persons inhabiting or frequenting it or adjacent buildings or
places or to the public generally.

The local authority now require you, and all other occupants, to remove
from the above building/the adjacent premises*
at _____

_____ immediately/by _____ (date)*.

_____ (signed) for _____ Council
_____ (date)

* Delete as appropriate.

ANY ENQUIRIES ABOUT THIS
NOTICE SHOULD BE ADDRESSED TO:-

COUNCIL ENQUIRY POINT

_____ Council Name _____
_____ Tel _____
_____ Ext _____
_____ Post Code _____

NOTE

If any person fails to comply with this Notice the local authority may then
apply to the sheriff for a warrant for its enforcement.

CERTIFICATE THAT BUILDING
IS A SOURCE OF IMMEDIATE DANGER

Building (Scotland) Act 1959, Schedule 7

The _____ Council certify that the building
at _____
is a source of immediate danger.

A notice to remove has therefore been served on the people listed below,
as occupants of the building [or of adjacent buildings which are also
considered to be at risk]*:-

NAMES AND ADDRESSES

_____ (signed) for _____ Council
_____ (date)

* Delete as appropriate

ANY ENQUIRIES ABOUT THIS
CERTIFICATE SHOULD BE SENT TO:-

COUNCIL ENQUIRY POINT

_____ Council	Name _____
_____	Tel _____
_____	Ext _____
_____ Post Code _____	

CERTIFICATE THAT ORDER HAS BEEN MADE
UNDER SECTION 13 REQUIRING BUILDING
TO BE DEMOLISHED

Building (Scotland) Act 1959, Schedule 7

The _____ Council certify that an Order was made on the _____ day of _____, 19____ under section 13(2) of the Building (Scotland) Act 1959 requiring that the building at _____ be demolished.

A notice to remove has therefore been served on the people listed below as all known occupants of the building [or of adjacent buildings which are also considered to be at risk]*:-

NAMES AND ADDRESSES

_____ (signed) for _____ Council

_____ (date)

ANY ENQUIRIES ABOUT THIS
CERTIFICATE SHOULD BE ADDRESSED

COUNCIL ENQUIRY POINT

TO:-

_____ Council Name _____
_____ Tel _____
_____ Ext _____
_____ Post Code _____

* Delete as appropriate

NOTICE OF INTENTION TO ENTER PREMISES

Building (Scotland) Act 1959, section 18

To (name and address) _____

the owner/occupier* of the premises at

I being a person so authorised by _____ Council, give
notice that I intend to enter the above premises on or
after _____ (date) for the purpose of

Signed _____

Designation _____

Date _____

* Delete as appropriate

ANY ENQUIRIES ABOUT THIS
NOTICE SHOULD BE ADDRESSED
TO:-

COUNCIL ENQUIRY POINT

_____ Council Name _____

_____ Tel _____

_____ Ext _____

_____ Post Code _____

NOTES

1. Any person authorised in writing by the local authority, on showing his authority if requested, may at all reasonable times enter any premises:

a. to inspect any work involving building operations which are covered by his written authority;

b. to apply any reasonable tests to determine the quality and strength of any material used or to be used in construction of a building;

c. to inspect any buildings where the local authority have reasonable cause to believe that a change of use is proposed or has taken place;

d. to inspect any building which the local authority have reasonable cause to believe is dangerous to persons inhabiting or frequenting it or adjacent buildings or places or to the public generally;

e. to inspect any building which the local authority consider should be examined in order to determine whether to exercise their powers to make the building conform to the building standards regulations;

f. to execute any operations in relation to buildings which have been constructed without a warrant or in contravention of their warrant conditions, or whose life has expired or which do not conform to the building standards regulations or are regarded as dangerous.

2. The authorised person must give 3 days' notice to the occupier and (unless the owner is unknown) also to the owner if he intends to enter premises for any of the purposes outlined at paragraph 1(c), (e) and (f) above.

3. The person authorised to enter the building may take with him such other persons as appear to him to be necessary.

4. Any person who wilfully obstructs any authorised person entering premises for any of these purposes may be guilty of an offence under the Building (Scotland) Act 1959 and liable on summary conviction to a fine.

AUTHORITY TO ENTER PREMISES

Building Scotland Act 1959, section 18

The _____ Council authorise

Name _____

Designation _____

Address _____

to enter any premises at all reasonable times for the purposes of:-

a. inspecting buildings which are in course of construction, or which have been constructed but for which no certificate of completion has been issued, or the sites of buildings in respect of which applications for directions under section 4 of the Building (Scotland) Act 1959 (hereinafter referred to as the 1959 Act) or warrants under section 6 of the 1959 Act have been made;

b. applying any reasonable tests to determine the quality and strength of any material used or proposed to be used in the construction of any building such as is mentioned in the foregoing paragraph;

c. inspecting any buildings as to which the Council have reasonable cause to believe that a change of use is proposed or has taken place;

d. inspecting any building which the Council have reasonable cause to believe is dangerous to persons inhabiting or frequenting it or adjacent buildings or places or to the public generally;

e. inspecting any building which the Council consider should be examined in order to determine whether to exercise their powers under section 11 of the 1959 Act; or

f. executing any operations under section 10, 11 or 13 of the 1959 Act.

(signed) for _____ Council_____
(date)

ANY ENQUIRIES ABOUT THIS
AUTHORISATION SHOULD BE
ADDRESSED TO:

COUNCIL ENQUIRY POINT

_____ Council Name _____
_____ Tel _____
_____ Ext _____
_____ Post Code _____

NOTES

1. Any person authorised in writing by the local authority, on showing his authority if requested, may at all reasonable times enter any premises:

a. to inspect any work involving building operations which are covered by his written authority;

b. to apply any reasonable tests to determine the quality and strength of any material used or to be used in construction of a building;

c. to inspect any buildings where the local authority has reasonable cause to believe that a change of use is proposed or has taken place;

d. to inspect any building which the local authority has reasonable cause to believe is dangerous to persons inhabiting or frequenting it or adjacent buildings or places or to the public generally;

e. to inspect any building which the local authority considers should be examined in order to determine whether to exercise its powers to make the building conform to the building standards regulations.

f. to execute any operations in relation to buildings which have been constructed without a warrant or in contravention of their warrant conditions, or whose life has expired or which do not conform to the building standards regulations or are regarded as dangerous.

2. The authorised person must give 3 days' notice to the occupier and (unless the owner is unknown) also to the owner if he intends to enter premises for any of the purposes outlined at paragraph 1(c), (e) and (f) above.

3. The person authorised to enter the building may take with him such other persons as appear to him to be necessary.

4. Any person who wilfully obstructs any authorised person entering premises for any of these purposes may be guilty of an offence under the Building (Scotland) Act 1959 and liable on summary conviction to a fine.

CHARGING ORDER

Building (Scotland) Act 1959, Schedule 6

The _____ Council, in exercise of their powers under Schedule 6 to the Building (Scotland) Act 1959 hereby provide and declare that the subjects described in the Schedule below are charged and burdened with a payment to _____ Council of an annuity of _____ payable on the _____ day of _____ in the year _____ (insert date one year after the date of this Order) and in every year for the term of thirty years from the date of this Order.

_____ (signed) for _____ Council
 _____ (date)

The Order should be signed in the manner in which the local authority's deeds are normally executed.

SCHEDULE

Description of Subjects*	Name and Designation of Owner

* This should, wherever possible, include reference to a recorded title or land certificate.

EXPLANATORY NOTE

(This note is not part of the Regulations)

These Regulations revoke and re-enact with amendments the Building (Forms) (Scotland) Regulations 1975, as amended. The number of forms has been reduced from 31 to 26 by merging forms, where possible, and deleting those no longer required. All the forms now included have been drafted in a more user-friendly style.

The Regulations prescribe the forms which should be used for applications, orders, warrants, directions, notices etc for the purposes of the Building (Scotland) Act 1959.

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